



THE GOVERNOR'S CITIZEN'S TRAFFIC STOP ADVISORY BOARD

JUNE 24, 2009

**STATE CAPITOL EXECUTIVE TOWER
3RD FLOOR, BOARD OF PHARMACY CONFERENCE ROOM
1700 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85007**

Members Present: Elizabeth Archuleta, Mel Hannah, Lorenzo Jones, Orlenda Roberts

Teleconference Members: Zoe Kristine Hammer Tomizuka

Absent: Jean-Jacques Cabou, Luis Fernandez, Thomas Milldebrandt, Sal Rivera

Staff: Linda Stiles, Governor's Office of Boards and Commissions, John Raeder, Governor's Office of Boards and Commissions, Joseph Kanefield, Governor Brewer's General Counsel

Guests: Manny Cisneros, Governor's Office of Equal Opportunity, Anni Foster, Arizona Attorney General's Office, Toni Hall, ACLU, Lu Himmelstein, Department of Public Safety, Annie Lai, ACLU, Stephanie Linden, Arizona Attorney Generals Office, Jackie Lombardo, ACLU, Chief Mikel Longman, Department of Public Safety, Amy Skilar ACLU.

REGULAR BUSINESS

1. CALL TO ORDER

Chairman Hannah called the meeting to order at approximately 1:39pm. Chairman Hannah invited Board members and guests to introduce themselves.

2. APPROVAL OF MINUTES

Action: Supervisor Archuleta moved that the Governor's Citizen's Traffic Stop Advisory Board approve the minutes of the Board meeting held on December 19, 2008. The Motion was seconded by Mr. Jones and carried unanimously.

GENERAL BUSINESS

3. INTRODUCTIONS

Mr. Kanefield thanked the members on behalf of the Governor for their dedicated service and offered continued support for the work of the board.

Chairman Hannah thanked Mr. Kanefield and reminded the members of the board that the Governor had the authority to appoint new membership.

4. REVIEW OF THE FINAL RECOMMENDATIONS FOR DPS POLICY AND PROCEDURES RELATED TO RACIAL PROFILING

The members of the board reviewed the recommendations that were issued at the end of last year.

- DPS shall include the requirement that officers have reasonable suspicion of criminal activity, prior to any request to conduct a consent search, in all written DPS materials, orders, bulletins, instructions and directives that relate to enforcement stops.
- The training of all current and new DPS officers shall include written materials setting forth and explaining the above policy and provide explanations and examples of what constitutes "reasonable suspicion" in a vehicle-stop situation.
- As soon as practicable upon conclusion of the stop, DPS officers shall document the factors observed that resulted in a finding of reasonable suspicion for seeking consent. The officer shall utilize a form that includes a minimum of 10 factors and attach it to DPS' copy of the Consent to Search form. The reasons articulated by the officer shall be reviewed by the immediate supervisor and forwarded to the DPS Records Unit for the prescribed retention period. Supervisors will receive additional training to evaluate and monitor consent searches, including the review of all submitted Consent to Search forms.
- DPS shall amend its General Order and all other related documents to reflect that consent searches may only be conducted if the target of the search signs the consent to search form or if the target is recorded by audio and or video giving consent.

Chairman Hannah asked Chief Longman to explain DPS's progress in implementing the recommendations and also asked him to expound on the recent story in the *Republic* regarding an officer that had been dismissed for misconduct.

In regards to the officer that had been dismissed, Chief Longman stated that the matter had been referred to the Arizona Peace Officer Standards and Training Board (AzPOST) and the certification of the officer in question had been revoked. DPS had also conducted an internal investigation and found no evidence related to racial profiling.

Chief Longman distributed DPS' new consent to search form that contains elements that officers must document in order to establish reasonable suspicion. He also noted that the form requires a supervisor's signature to ensure officers are establishing reasonable suspicion prior to requesting a search. Chief Longman also distributed a lesson plan that has been implemented into DPS training that emphasizes preventing bias based policing which was developed in conjunction with the Arizona ACLU.

Ms. Roberts applauded DPS and Chief Longman for the support and cooperation that had been provided to the Board.

Ms. Lai commented on the Arizona ACLU's willingness to continue to work with the board. Ms. Lai also mentioned the desire to develop a process to examine the internal complaint process including the possible implementation of a civilian review component. Ms. Lai asked Chief Longman to clarify some aspects of the Consent to Search Form including the implementation date.

Chief Longman stated that the goal for implementation of the new Consent to Search Form was this summer and the new training techniques are already in place.

5. NEXT STEPS

Chairman Hannah stated that the subcommittees will continue to work and should meet prior to the next full meeting of the Board.

Mr. Jones stated that the board should also examine incorporating a public outreach component.

Ms. Roberts added that the public outreach would be very difficult given many logistical and budgetary concerns and added that the DPS web site might already contain much of this information.

Chairman Hannah asked Mr. Jones to investigate and assess the practicality and feasibility of a public outreach program.

6. FUTURE MEETING DATE

The members agreed to meet again in September on a Friday. Ms. Roberts requested that it not be scheduled on September 18th.

7. CALL TO THE PUBLIC

There were no public requests to speak.

8. CALL TO ADJOURN

There being no further business before the board, Chairman Hannah adjourned the meeting at approximately 2:25pm.